IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

WP(C).No. 18829 of 2003(N)

PETITIONER:

M.MOHIDEEN @ MOIDEEN BIN AHAMED,
MANAMKUNTIL HOUSE, P.O.KALPAKANCHERRY,
TIRUR TALUK, MALAPPURAM DISTRICT.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS:

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1. THE UNION OF INDIA,
REPRESENTED BY HOME SECRETARY,
LOK NAYAK BHAVAN, KHAN MARKET,
NEW DELHI.

2. THE JOINT SECRETARY (FC),
MINISTRY OF HOME AFFAIRS,
GOVERNMENT OF INDIA, NEW DELHI.

3. THE DISTRICT COLLECTOR, MALAPPURAM.

4. THE SUPERINTENDENT OF POLICE,
MALAPPURAM.

5. THE SUB INSPECTOR OF POLICE,
KALPAKANCHERRY, MALAPPURAM
DISTRICT.

BY ADV. SRI.N.ANILKUMAR, ADDL.CGSC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.4829/03 IN W.P.(C)NO.18829/03

DISMISSED

10.1.2007. SD/- KURIAN JOSEPH, JUDGE.

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1: COPY OF APPLICATION DT. 2.12.1991 FROM THE PETITIONER.

EXT.P2 : COPY OF LETTER NO.26021/96/91/ICI DT. NIL ISSUED FROM THE FIRST RESPONDENT.

EXT.P3 : COPY OF PETITION DT. 27.10.2001 FROM THE PETITIONER TO THE FIRST RESPONDENT.

EXT.P4 : COPY OF ENTRY PASS ISSUED TO THE PETITIONER FOR MEETING THE FIRST RESPONDENT.

EXT.P5 : COPY OF ORDER DT. 25.3.1996 SERVED ON THE PETITIONER.

EXT.P6 TRUE COPY OF COMMUNICATION FROM THE FIRST RESPONDENT.

EXT.P7 COPY OF REVISION PETITION DT. 10.3.02 FILED BY THE PETITIONER BEFORE THE SECOND RESPONDENT.

EXT.P8 COPY OF JUDGMENT DT. 12.4.2002 IN OP36790/01 OF THIS HON'BLE COURT.

EXT.P9 COPY OF LETTER NO.11122/SS/B1/2002/HOME DT. 3.1.2003 OFO THE HOME(SS-B) DEPT.

EXT.P10 COPY OF ORDER DT. 7.11.2000 IN CMP 52938/2000 IN OP 31138/2000 OF THIS HON'BLE COURT.

TGS

KURIAN JOSEPH, J.

W.P.(C) No.18829 of 2003

Dated 10th January, 2007.

J U D G M E N T

As per Ext.P8 judgment in O.P.No.36790/01, this Court directed Ext.P7 revision application therein (Ext.P7 herein also) to be considered with notice to the petitioner. The matter arises under the Indian Citizenship Act. As per the impugned Ext.P9 order, the application has been rejected holding that there were no new grounds or additional information so as to take a different view from what had already taken in the order dated 10.3.2002. One of the main contentions taken by the petitioner is that despite a direction of this Court for notice at the time of disposal of Ext.P7 revision petition, no such opportunity was given to the petitioner. There is no counter affidavit. In the above circumstances, this writ petition is disposed of as follows :-

In the event of the petitioner requesting the first respondent for notice on Ext.P7 revision petition, the same shall be granted and the first respondent shall consider Ext.P7 afresh untrammelled by the stand taken in the impugned order, and pass appropriate orders thereon in accordance with law, within four

months from the date of receipt of the request from the petitioner.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

W.P.(C)No.18829 of 2003 (N)

J U D G M E N T

Dated 10th January, 2007.